



**Central
Bedfordshire**

Fair Access to Care Services

Eligibility Criteria for Adult Social Care

Draft Policy

(V.07)

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1 Foreword

- 1.1 Central Bedfordshire Council will provide social care services in accordance with the revised Fair Access to Care Services guidance 'Prioritising need in the context of Putting People First: A whole system approach to eligibility for social care, *Guidance on Eligibility Criteria for Adult social Care, England 2009 (consultation stage)*'.
- 1.2 This policy has been developed in consultation with service users, staff, stakeholders, local community groups, officers, the fire, police and ambulance services, the health service and residents of Central Bedfordshire.

2 Executive Summary

- 2.1 This policy is based on the Department of Health's Eligibility Criteria for Adult Social Care, published for consultation in 2009 and reflects the Councils vision 'to improve the quality of life of all' and priority of 'supporting and caring for an ageing population'.
- 2.2 The council has adopted an approach underpinned by the principles of early intervention and prevention, choice and control, and access to universal services.
- 2.3 The Council has set critical and substantial risk to independence, health and wellbeing as priority bands for social care services. It will consider also, the provision of social care services to those whose risk to independence is assessed as moderate, whereby, the provision of services that include intermediate care, re-ablement services and therapy will help them to regain their independence and remain long-term in their home. Individuals assessed as low risk will be given universal access to good quality information, advice and guidance to promote their health and wellbeing as well as signposting them to agencies that deliver practical services.

3 Background

- 3.1 The Council's Social Care and Health services are responsible, among other duties, for assessing people's need for care and support and arranging and /or providing services.
- 3.2 The Fair Access to Care Services (FACS) framework was introduced in 2003 to provide councils with a method for allocating the limited resources available for social care as fairly and consistently as possible. The intention of the guidance issued was that there should be a process to determine eligibility for social care support, based on risks to independence over time.
- 3.3 The framework consists of four bands of eligibility – critical, substantial, moderate and low, which represent the seriousness of the risk to an individual's independence if problems and issues were not addressed. Councils' were guided to prioritise needs on the immediate and longer term

consequences for the individual's independence, if the need is not addressed.

- 3.4 The guidance included criteria to allow councils to take into account local budgetary considerations, therefore, nationally prescribed conditions were not adopted and each council set their eligibility criteria locally. This has led to there being many differences across around the country and a number of legal challenges.
- 3.6 The Council's policy supports fairness, transparency and consistency in the application of eligibility criteria to reflect the increased focus on personalisation and prevention as set out in Putting People First.¹
- 3.7 *Putting People First* makes it clear that personalisation will only flourish where investment is made in all aspects of support including:
- *Universal services* – the general support available to everyone within their community including transport, leisure, education, employment, health, housing, community safety, information and advice and advocacy services.
 - *Early intervention and prevention* – helping people live at home independently, preventing them from needing social care support for as long as possible and potentially creating future cost efficiencies.
 - *Choice and control* – giving people a clear understanding of how much is to be spent on their care and support and allowing them to choose how they would like this funding to be used to suit their needs and preferences through individual budgets and direct payments.
 - *Social capital* – fostering strong and supportive communities that value the contribution that each of their citizens can make.

4 Legislative Framework

- 4.1 The provision of social services is governed by law. That law consists of primary and secondary legislation (i.e. Acts of Parliament and Rules and Regulations), together with government guidance which must be followed by local authorities, save in exceptional circumstances.
- 4.2 In some cases local authorities have a duty to act which means that they must do so; in others they have a power to act, i.e. the law enables them to do something but does not compel them to.
- 4.3 There are two aspects to be considered. First, there is the assessment of a person's needs and second, as a result of the outcome of that assessment, the decision to provide, (or not), social care services.

¹ Prioritising need in the context of Putting People first: A whole system approach to eligibility for social care, *Guidance on Eligibility for Adult Social Care, England 2009 (consultation stage)*

- 4.4 The Department of Health's publication 'Prioritising need in the context of Putting People First: A whole system approach to eligibility for social care, *Guidance on Eligibility Criteria for Adult social Care, England 2009 (consultation stage)*' is not legislation. It is guidance issued under section 7(1) of the 1970 Local authority Social Services Act, which councils must follow, unless there is good reason for them not to do so. The guidance has been written in light of recommendations made in the former Commission for social Care Inspection's review *Cutting the Cake Fairly* to support fairer, more transparent and consistent implementation of the eligibility criteria.
- 4.5 The Council has a legislative duty to carry out a care assessment under Acts of Parliament:
- if the approach is in respect of someone who appears to the Council to be in need of a community care service (NHS and Community Care Act 1990, section 47), which it may arrange or provide
 - if the approach is in respect of someone who is disabled (NHS and Community Care Act 1990, section 47; and Disabled Persons (Services, representation and Consultation) Act 1986, section 4
 - if the approach is by someone who looks after someone else (Disabled persons (Services Representation and Consultation) Act 1986; sections 4 and 8; Carers (Recognition and Services) Act 1995, section 1; Carers and Disabled Children Act 2000); Carers (Equal Opportunities) Act 2004.
- 4.6 Once the assessment of need has been completed, the Council has to make a decision about if it will or will not provide or arrange services. It arrives at this decision by comparing the assessed care needs with the eligibility criteria that has been set for social care services.
- 4.7 Section 47(12) of the NHS and Community Care Act 1990 states that, once a need for services has been identified, the local authority must decide whether this calls for the provision of services by the local authority. A similar decision must be made under the Disabled Persons (Services, Representation and Consultation) Act 1986; section 4, if an individual is assessed as being 'disabled'. The working of this Act has the effect of including the services listed under section 2 of the Chronically Sick and Disabled persons Act 1970 within those that are potentially available.

5 Links to Other Legislation and Guidance

- The Mental Capacity Act 2005 for acting and making decision on behalf of people who lack capacity to make particular decisions for themselves, or who have capacity and want to make preparations for a time when they may lack capacity in the future.
- National Framework for NHS Continuing Healthcare and NHS-funded Nursing Care (July 2009 (revised)).

- Carers and Disabled Children Act 2000

The policy only applies to those needs that the Social Services are responsible for meeting. Assessments will identify needs that other agencies are responsible for meeting, including housing and health services. These agencies have their own policies for determining how services will be allocated to people. These include:

- NHS responsibilities for meeting continuing health care needs.
- Nursing care as set out in Section 49 of the Health and Social Care Act 2001.
- Intermediate care.
- Supporting People.
- Think Family (integrated working with Children's Services and other agencies)

In general, the Council may provide social care services to individual adults with needs arising from physical, sensory, learning or cognitive disabilities and impairments, or from mental health difficulties. The council's responsibilities to provide such services are principally set out in the:

- The National Assistance Act 1948, Section 21 and Section 29
- The Health Services and Public Health Act 1968, Section 45
- The Chronically Sick and Disabled Persons Act 1970, Section 2
- The National Health Service Act 1977, Section 21
- The Mental Health Act 1983, Section 117
- The Carers and Disabled Children Act 2000
- The Community Care (Direct Payments) Act 1996

6 Discrimination

The council's statutory duties in relation to race, gender and disability are:

- to eliminate unlawful discrimination and to promote equality of opportunity and good relations, between persons of different racial groups (section 71 of the Race Relations Act 1976); and
- under section 49A of the Disability Discrimination Act 1995, have due

regard to

- a) the need to eliminate discrimination that is unlawful under the Act;
 - b) the need to eliminate harassment of disabled persons that is related to their disabilities;
 - c) the need to promote equality of opportunity between disabled persons and other persons;
 - d) the need to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons;
 - e) the need to promote positive attitudes towards disabled persons; and the need to encourage participation by disabled persons in public life; and
 - f) the need to encourage participation by disabled persons in public life;
- to eliminate unlawful discrimination and harassment and the need to promote equality of opportunity between men and women (section 76A of the Sex Discrimination Act 1975).
 - Promote the development of a range of services that meet the needs of carers.

7 Equalities & Human Rights

The Council is committed to implementing a range of equality legislation which requires the Council to:

- Understand issues relating to disability, gender, gender reassignment, race, religion or belief, age and sexual orientation.
- Engage with service users, local communities, staff, stakeholders and contractors to identify and implement improvements
- Tackle barriers which restrict access to services or lead to poorer outcomes when using services, (e.g. inaccessible buildings, poorly publicised services and lack of employee understanding about the needs of particular groups).
- Address abuse of vulnerable adults which can include, discriminatory abuse, including racist, sexist, that based on a person's disability, and other forms of harassment, slurs or similar treatment.
- Promote the development of a range of services that meet the needs of carers.

8 Integrated Working with Children Services

- 8.1 There will be work with young people by way of integrated working with Children Services in the transitional planning for children with disabilities and chronic illness. These arrangements start when young people are aged 14 and aims to make the transition from children services to adult services

seamless and ensure that appropriate arrangements are agreed with the young person and their carer and in place before the transfer.

- 8.2 Joint working with Children Services will (also) be undertaken, when assessing the needs of parent/carers of disabled children and addressing concerns about children's welfare, if the parent is assessed for care and support (e.g. parents with ill mental health, longstanding limiting illness, disability or infirmity). We will be involved also, where children and young people are themselves, carers.

9 Eligibility

9.1 The Eligibility Criteria:

- is applicable to all adult client groups (Learning Disability; Mental Health; Older People; & Physical Disability) and carers;
- is based on the needs of the person seeking a social care service and the risk to their independence and general well being (including employment);
- is clear about the level of risk to independence that will trigger a social care service and the level at which signposting or referral to partner agencies and /or information and advice will be offered; and
- is non-discriminatory.

9.2 The policy only applies to those services that Social Services are responsible for meeting under Community Care Legislation or Statutory Guidance. Assessments will identify needs that partner agencies are responsible for meeting, such as housing and health services, for which appropriate arrangements will be made for referring on.

9.3 Individuals seeking support will be entitled to receive Adult Social Care Services and / or support if:

- a) the assessment identifies the user / carer as being in the categories of critical and substantial risk should the need not be met

or

the assessment identifies the user / carer as being in the category of moderate risk should the need not be met and a one-off, short-term, time limited, or occasional services on a preventative basis, will prevent or delay them from deteriorating to a higher risk band (in the long-term).

and

Adult Social Care assesses that it is necessary for it to meet the assessed

need

or

b) there is a statutory duty to meet that need

or

the assessment identifies the users / carer as being in the category of low risk should the need not be met which will give them universal access to good quality information, advice and guidance to promote their health, and wellbeing as well as signposting them to agencies who deliver practical services.

9.4 The Council will provide services also to vulnerable adults to protect them from abuse, neglect or exploitation, or where other exceptions apply and may include:

- Adults defined as “vulnerable adults” under the Bedfordshire Multi-agency procedures for Safeguarding Vulnerable Adults, who need assistance to protect them from abuse, neglect or exploitation.
- People assessed to require services under section 117 of the Mental Health Act, 1983.
- Disabled people entitled to an assessment under the Disabled Persons Act 1986, or services under the Chronically Sick and Disabled Persons Act 1970.
- Carers entitled to an assessment under the carers (Recognition and Services) Act 1995, or the Carers and Disabled Children Act 2000.

9.5 No person who approaches, or is referred the Council for help will be excluded from the process to determine eligibility for social care, regardless of their age, circumstances, or the nature of their needs, ‘which should be considered on a person-centred, individual basis’.

10 Duty to Assess

10.1 There are a number of statutes that deal with the matter of assessment.

- 10.2
- The overarching duty on local authorities is set out in the **NHS and Community Care Act 1990**.
 - **NHS and Community Care Act 1990 Section 47(1)**. This imposes a duty on local authorities to carry out an assessment of need for community care services with people who appear to them to need such services and then, having regard to that assessment, decide whether those needs call for the provision by them, of services.

10.3 An assessment is triggered where :

- The person appears to be someone for whom community care services could be provided **and**
- The person's circumstances may need the provision of some community care services.

10.4 There are a number of other Acts which deal with the matter of assessment:

- **The NHS and Community Care Act 1990 Section 47(2)**. If, during the Section 47(1) assessment the person is identified as being 'disabled' *, that person has additional rights as set out in Section 47(2). This requires local authorities to make a decision as to the services required under Section 4 of the Disabled Persons (Services and Consultation and Representation) Act 1986.

Note: * see Section 29, National Assistance Act 1948 below

- **Disabled Persons (Services and Consultation and Representation) Act 1986 Section 4**. This imposes a **duty** on local authorities to decide whether the needs of a disabled person call for the provision by the Local Authority of any services in accordance with Section 2(1) of the Chronically Sick and Disabled Persons Act 1970.
- **National Assistance Act 1948 Section 29 (1)**. To qualify for services under this Section persons must be:

'aged 18 or over who are blind, deaf, or dumb, or who suffer from mental disorder of any description, and other persons aged 18 or over who are substantially and permanently handicapped by illness, injury, congenital deformity or such other disabilities as may be prescribed by the Minister'.

The definition of 'disabled person' should be interpreted in this context to mean people over 18 years who have a permanent and substantial disability such as learning disability, physical disability, sensory impairment, mental health difficulties, chronic illness or any combination of these.

LAC(93) 10 Appendix 4, asks councils to give a wide interpretation to the term substantial to take full account of individual circumstances and a flexible interpretation to the term permanent in cases where they are uncertain of the duration of the condition. Examples include episodic or recurring illness, intermittent disability / conditions.

People who are disabled within the terms of this definition are not obliged to register with the Department, nor is access to assessment and services dependent on registration.

- **Chronically Sick and Disabled Persons (CSDP) Act 1970 Section 2**. This places a duty on local Authorities to assess the individual needs of everyone who falls within Section 29 of the National Assistance Act 1948 above.

10.5 Assessment of Carers

- **The Carers and Disabled Children Act 2000 Section 1.** This section gives carers, aged 16 or over, the right to an assessment of their ability to provide care or continue to provide care:

Where they provide, or intend to provide, a substantial amount of care on a regular basis for another individual 18 or over

and

the local council is satisfied that the person cared for is someone for whom it may provide, or arrange for the provision of community care services.

This right exists even where the person cared for has refused an assessment by the local council social services department, or has refused the delivery of community care services following an assessment.

Note: The Carers and Disabled Children Act 2000 will only rarely be used by councils looking at the needs of 16 and 17 year old carers. Where it is used in these circumstances, the assessment must be child centred and follow the guidance set out in the Framework for the Assessment of Children in Need and their Families (paragraphs 3.61 to 3.63.)

(Ref. The Carers and Disabled Children Act 2000 policy and practice guidance).

- **The Carers and Disabled Children Act 2000 Section 6.** This section provides that a person with parental responsibility for a disabled child has the right to an assessment from the local authority of their ability to provide, (and to continue to provide), care for the child. The local authority must take that assessment into account when deciding what services, if any, to provide under section 17 of the Children Act 1989. (Ref The Carers and Disabled Children Act 2000 policy and practice guidance).
- **Disabled Persons (Services Consultation and Representation) Act 1986 Section 8.** Carers also have rights under this section which requires local councils to have regard to the ability of the carer to provide, or continue to provide care, when deciding what services to provide to the disabled person. In these circumstances, the assessment of the cared for person must take account of the carer situation and record this as part of the assessment of the cared for person. This requirement exists even where the caring role is not of a regular or substantial nature.
- **Mental Health Act 1983, section 117** requires a local authority jointly with the Health Authority, to provide aftercare services for people leaving hospital after being compulsorily detained. It is implicit in such a duty that a process of assessment must be undertaken prior to discharge, to identify needs and how they will be met.

The delivery of all mental health services is framed within the Care Programme Approach (CPA), which provides the framework for all patients, both in hospital and in the community. Among the key elements of the CPA are:

- Systematic arrangements for assessing people's health and social care needs
- The formulation of a care plan which addresses those needs
- The appointment of a Care Co-ordinator
- Regular review of the care plan.
- Other specific assessment requirements within Mental Health are determined by Sections 2, 3, 4 and 7 of the 1983 Mental Health Act. These sections require an Approved Social Worker to undertake an assessment of an individual's mental health along with key health colleagues.

10.6 The Council's duty is only to assess for Community Care Services and identify a possible health or housing need, inviting those providers to assist under Section 47(3);

and

the duty is not dependent on the agreement of the person who has come to our attention.

11 Assessment

11.1 This policy incorporates new concepts to the process of assessment and to defining those adults who are eligible to receive services from the Council.

- It seeks to improve the compatibility between personalisation and the prioritisation of need, moving away from a professionally led approach to one that is more transparent, person-centred and conducted in full partnership with the service user.
- It emphasises the value of self assessment as a tool to support choice and control in the overall assessment process.
- It places greater emphasis on outcomes to ensure that the consideration of need is holistic and well rounded and focuses on what is important to the individual.
- It incorporates the "clear, upfront allocation of funding to enable (individuals seeking support or care) to make informed choices about how best to meet their needs, including their broader health and well-being". It is envisaged that a Resource Allocation System (RAS) will be used to calculate how much money an individual will have available to spend, so that they can make choices and direct the way the support is

provided.

- 11.2 Whilst the duty to assess is not dependent on an individual's consent, their cooperation and active involvement will be a matter for them to determine, if they have mental capacity. If not, then the duty should be carried out in the person's best interest, in any event.
- 11.3 Information about an individual's presenting needs and related circumstances will be established and recorded as part of the assessment. This will include working with people who have completed a supported self assessment.
- 11.4 The decision as to who gets support will be made after an assessment. This will be centred on the person's aspirations and support needs, involving the person seeking support and their carer(s) and/or significant person(s) in their life.
- 11.5 The assessment process will recognise individuals as experts on their own situation and encourage a partnership approach, based on a person's aspirations and the outcomes they wish to achieve, rather than what they are unable to do.
- 11.6 Where appropriate, assessment should involve a full discussion not only with the person seeking support, but also with carers and other close family members or significant people, to consider the impact of a person's needs on those around them. This would take into account their views about the person's needs and recognising the contribution that they can make to the person's support and life. No assumptions should be made about the level or quality of support available from carers during the assessment.
- 11.7 An immediate response will be provided to those individuals who approach or are referred, for social care support in emergencies and crises. A fuller assessment will follow at which time the support can be withdrawn or changed.
- 11.8 Once the needs are identified, workers will use the Eligibility Framework set out below to identify the needs that will qualify for a social care service (eligible needs), according to the risks to independence, and well-being both in the immediate and longer term. The eligible needs will be discussed and agreed where possible with the individual and their representative / carer.
- 11.9 Where eligible needs have been identified, an appropriate support plan will be put together in collaboration with the individual, describing the support they will draw upon to overcome barriers to independence and well-being, both in the immediate and the longer term.

12 Reviews

For those service users/carers that are no longer eligible following a review, the Council will record the reasons for ceasing to provide support and share these with the individual both verbally and in writing. We will offer also,

information about alternative forms of support to the individual.

13 Timeliness of Assessments

Central Bedfordshire Council will work to the following standard:

- Where there is critical risk to independence that needs an urgent response, the service can be delivered immediately with the assessment to commence within 24 hours and completed as soon as practicable, although we will aim for 48 hours.
- Contact will be made with an individual within 24 hours of a request for an assessment.
- Assessments will be undertaken within 28 days.

14 Charging for Services

14.1 Charging of individuals for social care services is required and/or permitted through the following:

- Section 22 of the National Assistance Act 1948
- Section 17 of the Health and Social Services and Social Security Adjudications Act 1983
- Section 7 of the Local Authority Social Services Act 1970

The provisions of these acts along with guidance on their implementation are set out in the following key documents:

- *Charges for Residential Care Guidance (CRAG)* for residential care services
- *Fairer Charging Policies for Home Care and other non-residential Social Services* for non-residential care services
- *Fairer Contributions Guidance* for personal budgets

The provisions of these acts are reflected in the council's current policy:

- *Charging Policy for Home Care and other non-Residential Social Services*

14.2 Under these policies, once an individual's needs have been assessed and a decision made about the support to be provided, an assessment of their ability to pay charges will be carried out and written information about any charges payable and how they have been calculated will be given.

14.3 If an individual has care services provided by the council but does not wish

to have a financial assessment carried out then the council will charge them for the full cost of those services.

- 14.4 People who fund their own services and seek an assessment for social care services may continue to fund their own services directly or to be financially assessed under the policies set out in paragraph 14.1
- 14.5 If an individual is having services arranged and funded by the National Health Service (i.e. under Continuing Healthcare criteria), the Council will work in partnership with relevant agencies to provide unmet social care needs where appropriate.
- 14.6 If an individual seeking support has the financial means to pay for their own services, but is unable to make their own arrangements because of cognitive or physical impairment and there was no one to assist them, or they are vulnerable and need to be safeguarded, the Council will provide a service and the person would then be charged in accordance with the policies set out in paragraph 14.1.

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15 Eligibility Framework

- 15.1 The eligibility framework is graded into four bands, which describe the seriousness of the risk to independence and well-being or other consequences if needs are not addressed.

The four bands are:

Critical when
<ul style="list-style-type: none">• life is, or will be, threatened; and/or• significant health problems have developed or will develop; and/or• there is, or will be, little or no choice and control over vital aspects of the immediate environment; and/or• serious abuse or neglect has occurred or will occur; and/or• there is, or will be, an inability to carry out vital personal care or domestic routines; and/or• vital involvement in work, education or learning cannot or will not be sustained; and/or• vital social support systems and relationships cannot or will not be sustained; and/or• vital family and other social roles and responsibilities cannot, or will not be undertaken.
<p><i>People assessed as 'critical' will be considered eligible for appropriate care services, in addition to information, advice and guidance, and signposting to partner agencies for intervention and preventative services (if appropriate)</i></p>

Substantial when
<ul style="list-style-type: none">• there is, or will be, only partial choice and control over the immediate environment; and/or• abuse or neglect has occurred or will occur; and or• there is, or will be an inability to carry out the majority of personal care or domestic routines; and/or• involvement in many aspects of work, education or learning cannot, or will not be sustained; and/or• the majority of social support systems and relationships cannot, or will not be sustained; and/or• the majority of family and other social roles and responsibilities cannot, or will not be undertaken.
<p><i>People assessed as 'substantial' will be considered eligible for appropriate social care services, in addition to information, advice and guidance, and signposting to partner agencies for intervention and preventative services (if appropriate)</i></p>

Moderate when

- there is, or will be, an inability to carry out several personal care or domestic routines; and/or
- involvement in several aspects of work, education or learning cannot or will not be sustained; and/or
- several social support systems and relationships cannot or will be sustained; and/or
- several family and other social roles and responsibilities cannot or will not be undertaken.

Some people assessed as 'moderate' will be eligible for appropriate social care services. This will include one-off, short-term, time limited or occasional services on a preventative basis where the provision of that service will prevent them from deteriorating to a higher risk band, i.e. critical and substantial. This will be provided in addition to information, advice and guidance, and signposting to partner agencies for intervention and preventative services (if applicable).

Low when

- there is, or will be, an inability to carry out one or two personal care or domestic routines; and/or
- involvement in one or two aspects of work, education or learning cannot or will not be sustained; and/or
- one or two social support systems and relationships cannot or will not be sustained; and/or
- one or two family and other social roles and responsibilities cannot or will not be undertaken.

Most people assessed as 'low' will get access to universal services such as education, leisure and transport and primarily be signposted to partner agencies for intervention and preventative services (if appropriate), in addition to being given information, advice and guidance.

- 15.2 The council will consider people at all levels of need, regardless of whether or not they have eligible needs or fund their own care, and may be able with the right type of intervention, to reduce or even eliminate their dependency on social care support.
- 15.3 The Council has set critical and substantial risk to independence and wellbeing as priority bands for social care services. It will consider also the provision of social care services to those whose risks to independence is assessed as moderate, whereby, the provision of services that include intermediate care, re-ablement services and therapy will help them to regain their independence and remain long-term in their home. Individuals assessed as low risk will be given universal access to good quality information, advice and guidance to promote their health and wellbeing as well as signposting them to agencies who deliver practical services.

15.4 Consideration will be given as to whether the individual's needs prevent the following outcomes from being achieved:

- Exercise choice and control;
- Health and well-being, including mental and emotional as well as physical;
- Personal dignity and respect;
- Quality of life
- Freedom from discrimination
- Making a positive contribution
- Economic well-being
- Freedom from harm, abuse and neglect, taking wider issues of housing and community safety into account.

15.5 The Council will ensure that a person's needs are considered over a period of time, rather than at a single point, so that the needs of people who have fluctuating and / or long-term conditions are properly taken into account. A period of re-ablement or intermediate care will be made available, in order to maximise what people can do for themselves (if applicable), before a further assessment of needs is undertaken to make a final decision about the longer term needs for support.

16 Exceptions

There will be situations that do not appear to fall within the high risk band of the eligibility criteria, where the non provision of an assessment or service would be unsafe or unreasonable, but a comprehensive assessment under S47 of the National Health and Community Care Act (NHSCCA) 1990, is required. These should be justified and reasons recorded in writing, but may include:

- an individual defined as a "vulnerable adult" Under the Bedfordshire Multi-agency procedures for Safeguarding Vulnerable Adults, who need assistance to protect them from abuse, neglect or exploitation;
- people assessed to require services under S117 of the Mental Health Act 1983;
- disabled people entitled to an assessment under Disabled Person Act 1986, or services under the Chronically Sick and Disabled Persons Act 1970 and
- the Carers entitlement to an assessment under the Carers (Recognition and Services Act) or the Carers and Disabled Children Act 2000. 1995

17 Monitoring and Evaluation

17.1 The Council will ensure that it audits and monitors performance with regards

to the fair determination of eligibility for social care as below:

- The extent to which different groups, including carers, are referred for assessment, which groups receive an assessment and following assessment, which groups go on to receive services.
- The outcomes experienced by all those going through the process, including those people with ineligible needs who are signposted to other sources of help;
- Equality of access to ensure that all individuals are treated fairly regardless of their ethnicity, gender, disability, age, religion, or belief, sexual orientation or any other factors that may leave them vulnerable to discrimination;
- Quality of assessment and the eligibility decisions of their staff;
- Which presenting needs are evaluated as eligible needs and which are not;
- Service effectiveness with reference to support plans and reviews
- Speed of assessment and subsequent service delivery;
- Timing and frequency of reviews;
- The extent to which residents of different geographical areas within the council's boundary, receive an assessment and which go on to receive services.

17.2 The information above will be analysed and shared with service users and their carer(s), elected members, staff and partner agencies.

17.3 The Care Quality Commission (CQC), in conjunction with other inspectorates as part of the Comprehensive Area Assessment process (CAA), will:

- Check on the trends in the setting of eligibility bands by councils and how this impacts on people;
- Check the overall balance and impact of the range of support that is available to people, to promote their independence, health and well being;
- Specifically look at universal accessibility to services such as housing and leisure, the availability of targeted interventions such as intermediate care, support for third sector agencies in providing preventative services, the availability of information and advice and the extent to which self-directed support is offered and taken up;

- Gauge the quality of life being achieved in areas, including the extent to which all groups of citizens feel that they have a voice, through surveys and other evidence;
- Identify areas for development and good practice by means of outcome grades through the Care Quality Commission, and red and green flags highlighting concerns about prospects for improvement or promising innovation, that others can learn from through the Comprehensive Area Assessment.

18 Policy Review

- 18.1 The purpose of the Eligibility Criteria is to ensure that there is the most effective and efficient use of available resources and that there is consistency, and fairness across Central Bedfordshire for client groups. It is therefore important that the application of the Eligibility Criteria is carefully monitored and reviewed on a regular basis.
- 18.2 The Eligibility Criteria once set, can be changed by members of the Council and will be reviewed, at least annually, in accordance with the budget setting cycle.

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